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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/633,365 | 08/07/2000 | Bart Alan Meltzer | 16603-714 | 3951 |
| 22470 | 7590 | 09/26/2005 | EXAMINER | |
| HAYNES BEFFEL & WOLFELD LLP P O BOX 366 HALF MOON BAY, CA 94019 | | | COULTER, KENNETH R | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2141 | |

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/633,365

Applicant(s)

MELTZER ET AL.

Examiner

Kenneth R. Coulter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 48-69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 48-69 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 48 – 69 are rejected under 35 U.S.C. 102(b) as being disclosed by Tenenbaum et al. (Eco System: An Internet Commerce Architecture).

2.1 Regarding claim 48, Tenenbaum discloses a method for establishing transactions among trading partners in a network, comprising:

maintaining a registry of machine-readable specifications specifying business services offered by trading partners, the machine-readable specifications including at least one of definitions of, and references to definitions of, services offered (p. 51, col. 1 “Matchmaking is a **trading post where buyers and sellers can exchange goods or services**. This service **matches buyers and sellers on the basis of product descriptions** and personal or company profiles.”; p. 48, col. 1 “trading communities”; p. 52, col. 1 “several business that have linked their **catalogs or processes**”); and at least one of definitions of, and references to definitions of, documents to be exchanged with

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such services by trading partners (Fig. 5; p. 48, col. 1 “trading communities”; p. 52, col. 2 “several business that have linked their ***catalogs or processes***”); and

providing, in response to a request, one or more of the machine-readable specifications from said registry is via a communication network to a requesting node (Fig. 5; p. 48, col. 1 “trading communities”; p. 52, col. 2 “several business that have linked their catalogs or processes”).

The above citations are further elaborated upon in the newly cited reference “eCo System: CommerceNet’s Architectural Framework for Internet Commerce” published on January 17, 1997.

2.2 Per claim 49, Tenenbaum teaches that said machine-readable specifications comprises data identifying respective descriptions of sets of storage units and logical structures for the sets of storage units (Figs. 3, 4).

2.3 Regarding claim 50, Tenenbaum discloses that said machine-readable specifications included data adapted for parsing to identify an input document and one or more transactions which accept said input document (Figs. 2, 3, 4).

2.4 Per claim 51, Tenenbaum teaches that the definitions of the documents to be exchanged comprise respective descriptions of sets of storage units and logical structures for the sets of storage units (Figs. 2, 3).

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2.5 Regarding claim 52, Tenenbaum discloses that the machine-readable specifications include documents compliant with a definition of a predefined document including logical structures for storing an identifier of a particular transaction, and at least one of definitions and references to definitions of input and output documents for the particular transaction (Figs. 2, 3, 4).

2.6 Per claim 53, Tenenbaum teaches that the storage units comprise parsed data (Figs. 2, 3, 4).

2.7 Regarding claim 57, Tenenbaum discloses that the storage units comprise unparsed data (Figs. 2, 3, 4).

2.8 Per claim 58, Tenenbaum teaches associating trading partners with said machine readable specifications (p. 48, col. 1 “trading communities”; p. 52, col. 2 “several business that have linked their catalogs or processes”).

2.9 Regarding claims 54 – 56 and 59 - 69, the rejection of claims 48 - 53, 57, and 58 (paragraphs 2.1 - 2.8 above) under 35 USC 102(b) applies fully.

In addition, Tenenbaum discloses:

character data encoding text characters in the one of the input and output documents (p. 52 “Such embedded markup will let agents understand and respond to the information depicted graphically in a Web page.”); and

markup data identifying sets of storage units according to the logical structure of the input and output documents (p. 52).

3. Claims 48 – 69 are rejected under 35 U.S.C. 102(b) as being disclosed by Ram Sriram (referenced in Eco System: An Internet Commerce Architecture; p. 54).

3.1 Regarding claim 48, Sriram discloses a method for establishing transactions among trading partners in a network, comprising:

maintaining a registry of machine-readable specifications specifying business services offered by trading partners, the machine-readable specifications including at least one of definitions of, and references to definitions of, services offered and at least one of definitions of, and references to definitions of, documents to be exchanged with such services by trading partners (p. 54 "Using AIMSNet, an intercompany network (using the Internet) links companies like Lockheed Martin and its suppliers, allowing multicompany project teams to **exchange technical and business information**, collaborate on design, ... More than 10 companies currently use AIMSNet, and dozens more are joining soon."); and

providing, in response to a request, one or more of the machine-readable specifications from said registry is via a communication network to a requesting node (p. 54).

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3.2 Per claim 49, Sriram teaches that said machine-readable specifications comprises data identifying respective descriptions of sets of storage units and logical structures for the sets of storage units (p. 54).

3.3 Regarding claim 50, Sriram discloses that said machine-readable specifications included data adapted for parsing to identify an input document and one or more transactions which accept said input document (p. 54).

3.4 Per claim 51, Sriram teaches that the definitions of the documents to be exchanged comprise respective descriptions of sets of storage units and logical structures for the sets of storage units (p. 54).

3.5 Regarding claim 52, Sriram discloses that the machine-readable specifications include documents compliant with a definition of a predefined document including logical structures for storing an identifier of a particular transaction, and at least one of definitions and references to definitions of input and output documents for the particular transaction (p. 54).

3.6 Per claim 53, Sriram teaches that the storage units comprise parsed data (p. 54).

3.7 Regarding claim 57, Sriram discloses that the storage units comprise unparsed data (p. 54).

3.8 Per claim 58, Sriram teaches associating trading partners with said machine readable specifications (p. 54 "I-Market").

3.9 Regarding claims 54 – 56 and 59 - 69, the rejection of claims 48 - 53, 57, and 58 (paragraphs 3.1 - 3.8 above) under 35 USC 102(b) applies fully.

In addition, Sriram discloses:

character data encoding text characters in the one of the input and output documents (p. 54 AIMSNet) and

markup data identifying sets of storage units according to the logical structure of the input and output documents (p. 54 AIMSNet).

Response to Arguments

4. Applicant's arguments filed 6/22/05 have been fully considered but they are not persuasive.

Applicant states that "we do not find anywhere in Tenenbaum et al. a registry of machine-readable specifications. We do not find machine-readable specifications specifying business services offered. We do not find a protocol that exchanges documents with services. We do not find machine-readable specifications of documents to be exchanged with services. We do not find providing machine-readable

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specifications from a registry to a requesting node". (p. 9, bottom paragraph; Remarks section; filed 6/22/05)

Examiner disagrees.

Tenenbaum clearly discloses registry of machine-readable specifications (p. 48, col. 1 "trading communities"; p. 52, col. 2 "several business that have linked their **catalogs or processes**"); machine-readable specifications specifying business services offered (p. 51, col. 1 "Matchmaking is a **trading post where buyers and sellers can exchange goods or services**. This service **matches buyers and sellers on the basis of product descriptions** and personal or company profiles."; p. 48, col. 1 "trading communities"; p. 52, col. 2 "several business that have linked their **catalogs or processes**"); machine-readable specifications of documents to be exchanged with services (p. 51, col. 2; p. 48, col. 1); providing machine-readable specifications from a registry to a requesting node (p. 51, col. 2; p. 48, col. 1).

The above citations are further elaborated upon in the newly cited reference "eCo System: CommerceNet's Architectural Framework for Internet Commerce" published on January 17, 1997.

Examiner can not find the language "a protocol that exchanges documents with services" in claim 48.

Applicant states that "we do not find anywhere in Sriram a registry of machine-readable specifications. We do not find machine-readable specifications specifying business services offered. We do not find a protocol that exchanges documents with services.

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We do not find machine-readable specifications of documents to be exchanged with services. We do not find providing machine-readable specifications from a registry to a requesting node". (p. 12, bottom paragraph; Remarks section; filed 6/22/05)

Examiner disagrees.

Sriram clearly discloses registry of machine-readable specifications (p. 54); machine-readable specifications specifying business services offered (p. 54 "Using AIMSNet, an intercompany network (using the Internet) links companies like Lockheed Martin and its suppliers, allowing multicompany project teams to **exchange technical and business information**, collaborate on design, ... More than 10 companies currently use AIMSNet, and dozens more are joining soon."); machine-readable specifications of documents to be exchanged with services (p. 54); providing machine-readable specifications from a registry to a requesting node (p. 54).

Examiner can not find the language "a protocol that exchanges documents with services" in claim 48.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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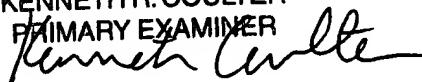
shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R. Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on 5 4 9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KENNETH R. COULTER
PRIMARY EXAMINER



krc